

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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WALTER BRAVO,

Plaintiff,

-against-

THE CITY OF NEW YORK, JAVIER  
MUNOZ, in his individual capacity,  
MANUEL ORELLANA, in his individual  
capacity, KELLY QUINN, in her individual  
capacity, and JOHN and JANE DOE 1  
through 10, in his or her individual capacity  
(the names John and Jane Doe being fictitious,  
as the true names are presently unknown),

Defendants.  
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**STIPULATION  
AND ORDER OF  
SETTLEMENT OF  
ATTORNEYS' FEES,  
COSTS AND EXPENSES**

11 CV 0773 (NGG)(VVP)

**WHEREAS**, plaintiff Walter Bravo commenced this action by filing a complaint on or about February 16, 2011, alleging that defendants City of New York, Javier Munoz, Manuel Orellana and Kelly Quinn violated plaintiff's civil rights under federal and New York State laws; and

**WHEREAS**, defendants have denied and continue to deny any and all liability arising out of plaintiff's allegations; and

**WHEREAS**, defendant City of New York served plaintiffs with a Rule 68 Offer of Judgment on February 6, 2012; and

**WHEREAS**, plaintiff Walter Bravo accepted the defendants' Rule 68 Offer of Judgment in the amount of \$12,501 on or about February 21, 2012; and

**WHEREAS**, the parties entered into a Stipulation of Settlement and Discontinuance on May 25, 2012, thereby resolving this matter as per plaintiff's claims, with the

sole exception of the issue of reasonable attorneys' fees, costs, and expenses to the date of the offer of the Rule 68 Offer of Judgment; and

**WHEREAS**, pursuant to the General Release dated April 23, 2012, plaintiff Walter Bravo assigned his right to attorneys' fees, costs, and expenses to his counsel, Brett Klein, Esq.; and

**WHEREAS**, counsel for defendants and counsel for plaintiff have now negotiated and agreed to resolve the issue of attorneys' fees, costs, and expenses without further proceedings;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, the attorneys of record for the respective parties to the above-captioned action, as follows:

1. Defendant City of New York shall pay to plaintiff's counsel, Leventhal & Klein, LLP, the sum total of TEN THOUSAND, SEVEN HUNDRED AND FIFTY (\$10,750.00) DOLLARS in full satisfaction of claims for attorneys' fees, expenses, and costs arising out of this action. Counsel for plaintiff hereby agrees and represents that no other claims for attorneys' fees, costs, or expenses arising out of this action shall be made by or on behalf of plaintiff Walter Bravo in any application for attorneys' fees, costs, or expenses at any time.

2. This Stipulation of Settlement and Attorney's Fees ("Stipulation") shall not be construed to be an admission by any defendants that they have in any manner or way violated any rights or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, the City of New York, or any other rules, regulations or bylaws of any department or subdivision of the City of New York.

4. This Stipulation and settlement shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York.

Dated: New York, New York  
June 29, 2012

Brett Klein, Esq.  
Attorney for Plaintiff  
Leventhal & Klein, LLP  
45 Main Street, Suite 230  
Brooklyn, NY 11201

By:   
Brett Klein, Esq.

MICHAEL A. CARDOZO  
Corporation Counsel of the City of New York  
Attorney for Defendants City of New York,  
Officers Javier Munoz, Officer Manuel Orellana,  
and Officer Kelly Quinn  
100 Church Street  
New York, New York 10007  
(212) 788-0715

By: 

Liza Solin

**SO ORDERED:**

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HONORABLE NICHOLAS G. GARAUFIS  
UNITED STATES DISTRICT JUDGE